

EXHIBIT 9

Fairbanks, R. Dennis

From: Fairbanks, R. Dennis
Sent: Wednesday, May 1, 2019 3:54 PM
To: Swain, Marla
Cc: Garrou, Douglas
Subject: RE: FOIA 2019-243
Attachments: Second FDA PFAS FOIA Check Enclosed.PDF; FDA FOIA Request Confirmation.PDF; FDA Receipt of FOI Request

Dear Dr. Swain,

As I indicated in the letter that I sent with the pre-payment for the FOIA request (attached), I already have made an electronic request for the information. I have since received confirmation of that request and an email acknowledging receipt of the request, both of which I have attached. The new FOIA number is 2019-3073.

Thank you for all of your assistance with this request, and please let me know if you need any other information from me to enable the FDA to provide the requested information as quickly as possible.

Best Regards,
Dennis



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This communication is confidential and is intended to be privileged pursuant to applicable law. If the reader of this message is not the intended recipient, please advise by return email immediately and then delete this message and all copies and backups thereof.

From: Swain, Marla <Marla.Swain@fda.hhs.gov>
Sent: Wednesday, May 1, 2019 3:31 PM
To: Fairbanks, R. Dennis <dfairbanks@hunton.com>
Subject: FW: FOIA 2019-243

Dear Mr. Fairbanks,

We have received your pre-payment for your FOIA requested. As I stated below, your original request was cancelled, due to lack of timely pre-payment. Therefore, we no longer have an active request for the information you previously requested under FOIA 2019-243. If you have not done so already, please make a request for the information using the link provided below. If you have already made your request, please send me the new FOIA number so that I can be on the lookout for it.

Regards,

Marla Swain

Marla D. Swain, Ph.D.

Consumer Safety Officer

Center for Food Safety and Applied Nutrition

Office of Food Additive Safety, HFS-275

Division of Food Contact Notifications

U.S. Food and Drug Administration

Tel: (240)402-1252

Fax: (301)436-2965

marla.swain@fda.hhs.gov



From: Swain, Marla
Sent: Wednesday, May 01, 2019 12:10 PM
To: Dodson, Sharon R <Sharon.Dodson@fda.hhs.gov>
Subject: FW: FOIA 2019-243

From: Swain, Marla
Sent: Thursday, April 04, 2019 1:59 PM
To: 'dfairbanks@HuntonAK.com' <dfairbanks@HuntonAK.com>
Subject: FOIA 2019-243

Dear Mr. Fairbanks,

This email is in response to your phone call inquiring about the status of FOIA request 2019-243. Unfortunately, due to lack of timely receipt of pre-payment your request was cancelled. If you would like the previously requested documents (i.e., Information related to perfluoroalkyl substances (PFAS) that are the subject of Food Additive Petitions and Food Contact Notifications) please resubmit your request. You can submit your request online using the following link:

<http://www.accessdata.fda.gov/scripts/foi/FOIRequest/index.cfm>

If you are sending in a pre-payment, please reference your previous request (PNC 2019-243) along with the new request number. The payment should be mailed to either of the following addresses to the attention of Sharon Dodson:

Via The US Mail

US Food & Drug Administration

P.O. Box 979107

St. Louis MO 63197-9000

Via Courier Delivery to:

Government Lockbox 979107
1005 Convention Plaza
St. Louis, MO 63101

NOTE: the Courier address is for payment only, and the Lockbox number must appear on the enclosed check.

I have attached the pre-payment letter for your previous request (FOIA 2019-243) for your reference. Please let us contact me if you have additional questions concerning this matter.

Regards,

Marla D. Swain, Ph.D.
Consumer Safety Officer

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